THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No.15682 of 2006
Dated: 02-08-2006

Between:

Smt.Malla Sujatha Petitioner

And

The State Election Commission, Secunderabad and others
Respondents.

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No.15682 of 2006

ORDER:

1. The learned counsel pointed out to the relevant portion of the order dated 22-07-2006 which reads as hereunder:

> "Hence rejecting the Nomination Paper of the appellant by the Returning Officer is not proper. Therefore, the rejection orders passed by the Returning Officer are set aside and the appeal is allowed. The Returning Officer is requested to attest the declaration of form submitted by the appellant and to include the appellants nomination in the list of validily nominated candidates."

2. It is stated that this procedure adopted by the appellate authority is in contravention of the Rules. It is needless to say that at this stage, this court as a writ court cannot interfere.

3. In view of the same, the petitioner is given liberty to approach the election tribunal for filing appropriate election petition.

4. With the above observation, the writ petition is disposed of. No order as to costs.

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02-08-2006

Stp